

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO

FILED
RICHARD W. NAGEL
CLERK OF COURT

MAR 18 2025 5:41 P

U.S. DISTRICT COURT
SOUTHERN DISTRICT
OF OHIO-COLUMBUS

Kelvin R. Lovett

(ENTER ABOVE THE NAME OF THE PLAINTIFF IN THIS ACTION)

IF THE PLAINTIFF IS A PRISONER: PRISONER # 618-673

vs.

C/O R. Evans

(ENTER ABOVE THE NAME OF THE DEFENDANT IN THIS ACTION)

IF THERE ARE ADDITIONAL DEFENDANTS PLEASE LIST THEM:

Sgt. Gobel

Lt. Williams

Capt. Crabtree

John Doe (Lt)

(Mental Health) C. Miller

(Mental Health) JANE DOE

2:25 CV 0273

JUDGE SARGUS

COMPLAINT

MAGISTRATE JUDGE DEEVERS

I. PARTIES TO THE ACTION:

PLAINTIFF: PLACE YOUR NAME AND ADDRESS ON THE LINES BELOW. THE ADDRESS YOU GIVE MUST BE THE ADDRESS THAT THE COURT MAY CONTACT YOU AND MAIL DOCUMENTS TO YOU. A TELEPHONE NUMBER IS REQUIRED.

Kelvin R. Lovett # 618-673

NAME - FULL NAME PLEASE - PRINT

16149 St. Rte. 104 P.O. Box 901

ADDRESS: STREET, CITY, STATE AND ZIP CODE

Chillicothe, Ohio 45601 Leavittsville, Ohio 44430

(740)-774-7050 N/A

TELEPHONE NUMBER

IF THERE ARE ADDITIONAL PLAINTIFFS IN THIS SUIT, A SEPARATE PIECE OF PAPER SHOULD BE ATTACHED IMMEDIATELY BEHIND THIS PAGE WITH THEIR FULL NAMES, ADDRESSES AND TELEPHONE NUMBERS. IF NO ADDITIONAL PLAINTIFFS EXIST CONTINUE WITH THIS FORM.

PAGE 2 AND 3 OF THIS FORM DEAL ONLY WITH A PLAINTIFF THAT IS INCARCERATED AT THE TIME OF FILING THIS COMPLAINT.

IF YOU ARE A PRISONER FILING A CIVIL SUIT THE FOLLOWING INFORMATION IS REQUIRED:

PREVIOUS LAWSUITS:

A. HAVE YOU BEGUN OTHER LAWSUITS IN STATE OR FEDERAL COURT DEALING WITH THE SAME FACTS INVOLVED IN THIS ACTION OR OTHERWISE RELATING TO YOUR IMPRISONMENT? YES (✓) NO ()

B. IF YOUR ANSWER TO A IS YES, DESCRIBE THE LAWSUIT IN THE SPACE BELOW. (IF THERE IS MORE THAN ONE LAWSUIT, DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THE SAME OUTLINE.)

1. PARTIES TO THIS PREVIOUS LAWSUIT

PLAINTIFFS:

DEFENDANTS:

2. COURT (IF FEDERAL COURT, NAME THE DISTRICT: IF STATE COURT, NAME THE COUNTY)

3. DOCKET NUMBER

4. NAME OF THE JUDGE TO WHOM THE CASE WAS ASSIGNED

5. DISPOSITION (FOR EXAMPLE, WAS THE CASE DISMISSED? WAS IT APPEALED? IS IT STILL PENDING?)

6. APPROXIMATE DATE OF THE FILING OF THE LAWSUIT

7. APPROXIMATE DATE OF THE DISPOSITION

PREVIOUS LAWSUITS:

| <u>CASE NUMBER</u> | <u>CAPTION</u> |
|--------------------|---|
| 1:11-CV-277 | KELVIN LOYETT VS. STEVEN COLE |
| 1:15-CV-24 | KELVIN LOYETT VS BYRON BARNEY |
| 1:17-CV-757 | KELVIN LOYETT VS. JEREMY EACHES |
| 2:24-CV-4081 | MARK KELVIN LOYETT V. U.M. EVANS |

PLACE OF PRESENT CONFINEMENT

Trumbull Corr. Inst.
Ross Correctional Institution

A. IS THERE A PRISONER GRIEVANCE PROCEDURE IN THIS INSTITUTION?
YES (☒) NO ()

B. DID YOU PRESENT THE FACTS RELATING TO YOUR COMPLAINT IN THIS STATE
PRISONER GRIEVANCE PROCEDURE? YES () NO ()

C. IF YOUR ANSWER IS YES:

1. WHAT STEPS DID YOU TAKE?

Plaintiff filed Informal Complaint Resolution

GRIEVANCE TO Institution Inspector (UNANSWERED)

GRIEVANCE TO Chief Inspector (time barred

UNANSWERED, then UNANSWERED)

2. WHAT WAS THE RESULT?

D. IF YOUR ANSWER IS NO, EXPLAIN WHY NOT.

E. IF THERE IS NO PRISON GRIEVANCE PROCEDURE IN THIS INSTITUTION, DID
YOU COMPLAIN TO PRISON AUTHORITIES? YES () NO ()

F. IF YOUR ANSWER IS YES:

1. WHAT STEPS DID YOU TAKE?

2. WHAT WAS THE RESULT?

DEFENDANTS:

PLACE THE NAME AND ADDRESS OF EACH DEFENDANT YOU LISTED IN THE CAPTION ON THE FIRST PAGE OF THIS COMPLAINT. THIS FORM IS INVALID UNLESS EACH DEFENDANT APPEARS WITH FULL ADDRESS FOR PROPER SERVICE.

1. 9/0 R. EVANS
NAMES - FULL NAME PLEASE
16149 St. Rte. 104, Chillicothe, Ohio 45601
ADDRESS - STREET, CITY, STATE AND ZIP CODE
2. Sgt. Gobel
16149 St. Rte. 104, Chillicothe, Ohio 45601
3. Capt. ~~Chap~~ Crabtree
16149 St. Rte. 104, Chillicothe, Ohio 45601
4. (Mental Health) C. Miller
16149 St. Rte. 104, Chillicothe, Ohio 45601
5. Lt. Williams
16149 St. Rte. 104, Chillicothe, Ohio 45601
6. _____

IF THERE ARE ADDITIONAL DEFENDANTS, PLEASE CONTINUE LISTING THEM.

STATEMENT OF CLAIM

PLEASE WRITE AS BRIEFLY AS POSSIBLE THE FACTS OF YOUR CASE. DESCRIBE HOW EACH DEFENDANT IS INVOLVED. INCLUDE THE NAME OF ALL PERSONS INVOLVED. GIVE DATES AND PLACES.

DO NOT GIVE ANY LEGAL ARGUMENTS OR CITE ANY CASES OR STATUTES.

IF YOU HAVE A NUMBER OF DIFFERENT CLAIMS; PLEASE NUMBER AND SET FORTH EACH CLAIM IN A SEPARATE PARAGRAPH. USE AS MUCH SPACE AS YOU NEED. YOU ARE NOT LIMITED TO THE PAPERS WE GIVE YOU. ATTACH EXTRA SHEETS THAT DEAL WITH YOUR STATEMENT CLAIM IMMEDIATELY BEHIND THIS PIECE OF PAPER.

1. ON 9-12-24, I WAS ASSAULTED WITH THE EXCESSIVE USE OF O/C spray. The use of it self WAS NOT WARRANTED.
2. THE USE OF O/C WAS DONE WITH MALICIOUS INTENT.
3. I WAS ASSAULTED BY AN INMATE ON VIDEO SURVEILLANCE, but yet I WAS BEING RETALIATED AGAINST BY Capt Crabtree, AND PLACED IN SEGREGATION. SO I WAS UPSET, I TOLD SEVERAL PEOPLE TO REVIEW THE VIDEO FOOTAGE, BUT I WAS NOT BEING HEARD. THIS MADE ME FEEL LIKE I WAS IN A NO WIN SITUATION. SO I REQUESTED MENTAL HEALTH. C/O EVANS SAID "YOU'RE NOT GOING ON WATCH."
4. I WENT TO SEE MENTAL HEALTH AND WAS NOT PLACED ON SUICIDE WATCH, BUT SOME OTHER FORM THAT LESSENS THE SEVERITIES ON THE WORKFORCE. WHEREBY INSTEAD OF AROUND THE CLOCK CONSTANT WATCH, I WAS PUT ON SOME OTHER FORM ~~which was a detriment~~ OF WATCH, WITHOUT A C/O PRESENT THAT COULD HAVE BEEN A DETRIMENT. I COULD HAVE TAKEN MY LIFE ~~moreward~~ AFTER STATING I WAS SUICIDAL. THEN AFTER AN ATTEMPT ~~mental health staff~~ ~~at~~ OF SUICIDE ON MY LIFE. MENTAL HEALTH STAFF C. MILLER, STILL DID NOT PUT ME ON SUICIDE WATCH. WHICH WAS A COMPLETE DISREGARD OF MY HEALTH AND WELL BEING.
5. WHEN I CAME BACK TO THE STRIP CAGE TO BE STRIP

RELIEF

IN THIS SECTION PLEASE STATE (WRITE) BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT, CITE NO CASES OR STATUTES.

WHEREFORE, Plaintiff Lovett, respectfully pray that this court enter judgement:

23. Granting Plaintiff Lovett compensatory damages in the amount of \$100,000 U.S. against each defendant, jointly and severally,

24. Granting Plaintiff Lovett seeks punitive damages in the amount of \$100,000 U.S. Plaintiff Lovett seeks these damages against each defendant, jointly and severally,

25. Granting Plaintiff Lovett a declaration that the acts and omissions described herein violate his rights under the constitution and laws of the United States, and,

26. Plaintiff Lovett also seeks a jury trial on all issues triable by jury,

27. Plaintiff Lovett also seeks recovery of all cost in this suit, and

28. Any additional relief this court deems just, proper, and equitable.

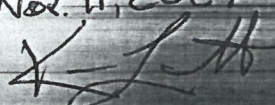
SIGNED THIS 11 DAY OF November 20 24


SIGNATURE OF PLAINTIFF

VERIFICATION

I have written and read the foregoing complaint and hereby verify that the matters alleged herein are true, except as to matters alleged on information and belief, and, as to those, I believe them to be true. I certify under penalty of perjury that the foregoing is true and correct.

Executed at Ross Correctional Institution in Ross County
in Chillicothe, Ohio on this Monday, Nov. 11, 2024

 KEVIN R. LOVETT

searched, %O EVANS WAS upset AND said out loud "Capt Crabtree said I CAN spray you"! I responded "if you spray me without a good reason you will regret it."

6. So they did not put me on actual suicide watch EVEN though I said I WAS suicidal. I WAS put on some other cost affective form of "watch" (likely due to work force shortage). I felt at that time I WAS suicidal. So I attempted to wrap the ORANGE pants around my neck, %O EVANS said "stop or I am going to spray you. (At that time %O EVANS would have been justified in spraying me). But I did stop the suicide attempt. %O EVANS continued the strip search.

7. Now comes time to put the ferguson gown on. I said I'm going nude. %O EVANS said put it over your shoulder. or I'm going to spray you. I grabbed the ferguson gown AND throw it over my shoulder. %O EVANS WAS by now very gun hoe ready to spray me with the %O spray.

8. %O EVANS did not give the correct directives. BECAUSE I did EXACTLY what %O EVANS told me to do. %O EVANS did not show me how to put on the ferguson gown. %O EVANS WAS tired of dealing with me AND ultimately sprayed me with %O spray twice.

9. % EVANS sprayed into the INCASED strip out cage, which very small, it got all over the ferguson gown. % EVANS then squatted down and took direct aim at my buttocks and scrotum, AS I WAS bent over from the affects of the first burst, Which did CAUSE ME SEVERE pain AND discomfort for several days.

10. At the time of the ASSAULT ON my PERSON, I WAS NOT A threat to myself, to staff, or to other inmates.

11. The door to the strip cage was opened the ferguson suit WAS placed ON ME. (Which could have BEEN DONE without the % spray).

12. Plaintiff WAS taken to the infirmary where JOHN DOE 1 (A Lt.) tried ^{to} write out a statement which I refused to sign. Lt. JOHN DOE WAS already trying to COVER-up what % EVANS had done to ME.

13. Body CAMERAS, AND VIDEO SURVEILLANCE footage. As well AS audio should be available throughout this case.

14. I WAS placed in a suicide cell without the ferguson blanket (the blanket is made out of the same material AS the ferguson gown). I was told I would not be given the blanket. This is A tactic used by staff AS well AS mental health staff. Because it gets cold, its to force you to NOT go on suicide watch (or anything of simular import), or stay on suicide watch. Thus, taking up staff resources.

15. On 9-13-24 The Plaintiff was threatened by JANE DOE mental health staff, with Lt Williams who did have on body camera. With the cool temperature and told I would not have a blanket, and I would but stuck until at least Monday 9-16-24.

16. Plaintiff, was taken off "watch" and taken to hear a conduct report. While in the hearing Capt. Herd called Sgt. Mayes and told him to get rid of the conduct report, and ~~to~~ let Lovett out the hole. Because he is not suppose to be in the hole anyway.

17. Sgt. Mayes does wear a body camera. Time approx. 11:30 - ~~11:40~~ 11:55 AM on 9-13-24.

18. Sgt Gobel then called Sgt. Mayes and told him to reinstate the conduct report because there is a use of force involved.

19. This is where the "Electrical musical chairs," starts. Because the ~~can~~ original C/R written by C/O EVANS WAS VIEWED AS WEAK AND WAS thus, gotten rid of per request by Capt. Herd which Sgt. Mayes had done as told. Sgt. Gobel took it upon himself, to re-write the C/R, regardless of the fact he was NOT EVEN ON THE ~~pre~~ premises.

20. It is likely that this whole action of fraud is captured with his body camera.

21. This fraud was done in effort to relieve his ~~&~~ co-worker from having to face any form of discipline for assaulting the

Plaintiff with O/C spray.

22. The Plaintiff Kelvin R. Lovett does sue each defendant in their personal, individual, and official capacity.